

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 650

Representative Upchurch

A BILL

To amend section 3796.01 of the Revised Code to
authorize the use of medical marijuana for
anxiety, autism spectrum disorder, and opioid
use disorder.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3796.01 of the Revised Code be
amended to read as follows:

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Sec. 3796.01. (A) As used in this chapter:

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(1) "Marijuana" means marihuana as defined in section
3719.01 of the Revised Code.

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(2) "Medical marijuana" means marijuana that is
cultivated, processed, dispensed, tested, possessed, or used for
a medical purpose.

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(3) "Academic medical center" has the same meaning as in
section 4731.297 of the Revised Code.

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(4) "Drug database" means the database established and
maintained by the state board of pharmacy pursuant to section
4729.75 of the Revised Code.

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(5) "Physician" means an individual authorized under	18
Chapter 4731. of the Revised Code to practice medicine and	19
surgery or osteopathic medicine and surgery.	20
(6) "Qualifying medical condition" means any of the	21
following:	22
(a) Acquired immune deficiency syndrome;	23
(b) Alzheimer's disease;	24
(c) Amyotrophic lateral sclerosis;	25
(d) <u>Anxiety;</u>	26
<u>(e) Autism spectrum disorder;</u>	27
<u>(f) Cancer;</u>	28
(e) <u>(g) Chronic traumatic encephalopathy;</u>	29
(f) <u>(h) Crohn's disease;</u>	30
(g) <u>(i) Epilepsy or another seizure disorder;</u>	31
(h) <u>(j) Fibromyalgia;</u>	32
(i) <u>(k) Glaucoma;</u>	33
(j) <u>(l) Hepatitis C;</u>	34
(k) <u>(m) Inflammatory bowel disease;</u>	35
(l) <u>(n) Multiple sclerosis;</u>	36
(m) <u>(o) Opioid use disorder;</u>	37
<u>(p) Pain that is either of the following:</u>	38
(i) Chronic and severe;	39
(ii) Intractable.	40

(n) <u>(q)</u> Parkinson's disease;	41
(o) <u>(r)</u> Positive status for HIV;	42
(p) <u>(s)</u> Post-traumatic stress disorder;	43
(q) <u>(t)</u> Sickle cell anemia;	44
(r) <u>(u)</u> Spinal cord disease or injury;	45
(s) <u>(v)</u> Tourette's syndrome;	46
(t) <u>(w)</u> Traumatic brain injury;	47
(u) <u>(x)</u> Ulcerative colitis;	48
(v) <u>(y)</u> Any other disease or condition added by the state medical board under section 4731.302 of the Revised Code.	49 50
(7) "State university" has the same meaning as in section 3345.011 of the Revised Code.	51 52
(B) Notwithstanding any conflicting provision of Chapter 3719. of the Revised Code or the rules adopted under it, for purposes of this chapter, medical marijuana is a schedule II controlled substance.	53 54 55 56
Section 2. That existing section 3796.01 of the Revised Code is hereby repealed.	57 58